

Message

---

**From:** Fisher, Mike [Fisher.Mike@epa.gov]  
**Sent:** 3/13/2020 3:06:10 PM  
**To:** Kupchan, Simma [Kupchan.Simma@epa.gov]  
**CC:** Hicks, Matt [Hicks.Matthew@epa.gov]; Morgan, James [Morgan.James@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Hi you all – never saw that email yesterday, so am not sure whether Dave got word.

But I see the bill passed unanimously yesterday after reconciliation (<https://www.flsenate.gov/Session/Bill/2020/1091/?Tab=BillHistory>), so I'll send Susan a note sometime after lunch to bring her up to speed.

Have a good weekend

Michael R. Fisher  
Director, Legal Counsel Division  
Office of Criminal Enforcement, Forensics & Training  
U.S. EPA  
1200 Pennsylvania Ave. N.W.  
WJC South Room 1202D (Mail Code 2232A)  
Washington, D.C. 20004  
202 564 1063 (phone) : 202 501 0579 (fax)

Help EPA fight pollution - report environmental violations at <http://www.epa.gov/tips>

---

**From:** Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Sent:** Thursday, March 12, 2020 11:57 AM  
**To:** Fisher, Mike <Fisher.Mike@epa.gov>  
**Cc:** Hicks, Matt <Hicks.Matthew@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Thanks, Mike. John and/or Jeanneanne will be emailing Dave shortly. It would be great if you wanted to wait until they did that. We'll ask them to cc you.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

---

**From:** Fisher, Mike <Fisher.Mike@epa.gov>  
**Sent:** Thursday, March 12, 2020 11:55 AM  
**To:** Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Cc:** Hicks, Matt <Hicks.Matthew@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Hi you all – wanted to give you a chance to apprise Dave before we send a note to Susan, but will probably do that later today, to let her know this issue is largely resolved. So please let me know if there's some reason to delay sending. Thx

Michael R. Fisher  
Director, Legal Counsel Division  
Office of Criminal Enforcement, Forensics & Training  
U.S. EPA  
1200 Pennsylvania Ave. N.W.  
WJC South Room 1202D (Mail Code 2232A)  
Washington, D.C. 20004  
202 564 1063 (phone) : 202 501 0579 (fax)

Help EPA fight pollution - report environmental violations at <http://www.epa.gov/tips>

---

**From:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 5:50 PM  
**To:** Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** Re: FL HB 1091 -- the bill I was calling about

## Ex. 5 AC/DP

# Ex. 5 Deliberative Process (DP)

Simma

On Mar 11, 2020, at 5:01 PM, Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)> wrote:

Hi Matt –

Ex. 5 AC/DP

# Ex. 5 AC/DP

# Ex. 5 Deliberative Process (DP)

Otherwise, we'll stand by to see if folks have further questions or would like to discuss.

Thanks --

Michael R. Fisher  
Director, Legal Counsel Division  
Office of Criminal Enforcement, Forensics & Training  
U.S. EPA  
1200 Pennsylvania Ave. N.W.  
WJC South Room 1202D (Mail Code 2232A)  
Washington, D.C. 20004  
202 564 1063 (phone) : 202 501 0579 (fax)

Help EPA fight pollution - report environmental violations at <http://www.epa.gov/tips>

---

**From:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 3:39 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Jeaneanne has asked if you can give your impression of HB 1091 before noon tomorrow. I know she would like OCEFT's impression as well. She's talking with the RA at 1:00.

Thanks,

Matt

---

**From:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 2:44 PM  
**To:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

I think we should move quickly, but no deadline. I am totally tied up until tomorrow, but will share thoughts tomorrow morning.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

---

**From:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 2:13 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>

**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

Is there a time critical element here or do we have some flexibility?

---

**From:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:53 PM  
**To:** Morgan, James <[Morgan.James@epa.gov](mailto:Morgan.James@epa.gov)>; Fisher, Mike <[Fisher.Mike@epa.gov](mailto:Fisher.Mike@epa.gov)>  
**Cc:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

JT and Mike,

I'd like your opinion as I begin to look at this. Thanks.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

---

**From:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:49 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Cc:** Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** FW: FL HB 1091 -- the bill I was calling about

Simma,

## Ex. 5 AC/DP

Thanks,

Matt

---

**From:** Hicks, Matt  
**Sent:** Wednesday, March 11, 2020 1:45 PM  
**To:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Cc:** Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>; Palmer, Leif <[Palmer.Leif@epa.gov](mailto:Palmer.Leif@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

## Ex. 5 AC/DP

---

**From:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Sent:** Wednesday, March 11, 2020 1:13 PM  
**To:** McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Cc:** Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>  
**Subject:** RE: FL HB 1091 -- the bill I was calling about

The bill just passed the legislature – now pending Gov signature....it changes some of the criminal provisions

---

**From:** Gettle, Jeanneanne

**Sent:** Wednesday, March 11, 2020 1:10 PM

**To:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>

**Cc:** Ghosh, Mita <[ghosh.mita@epa.gov](mailto:ghosh.mita@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>

**Subject:** FL HB 1091 -- the bill I was calling about